

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAPELLI MILAN, LLC, et al.,
 Plaintiff(s),

Case No.: 2:20-cv-00827-APG-NJK

v.

ORDER

[Docket Nos. 7, 12]

THE HONORABLE STEPHEN F.
 SISOLAK, et al.,
 Defendant(s).

On May 13, 2020, Plaintiffs filed on the public docket a motion for leave to amend the complaint. Docket No. 7. That motion remains pending. On May 18, 2020, Plaintiffs filed another motion for leave to amend the complaint, this time doing so on an *ex parte* basis with restrictions on public access to the filing. Docket No. 12.

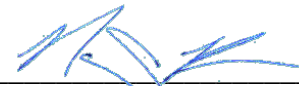
As a threshold matter, no explanation is provided as to why the second of the above motions was docketed with restricted access to the public. *But see Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (discussing presumption of public access). Absent a written showing by Plaintiffs with a sufficient basis to justify those restrictions—filed no later than May 26, 2020—they will be lifted.

With respect to the substance of the motions, it is unclear why Plaintiffs filed multiple motions for leave to amend a few days apart or what difference exists between the two motions. Given the circumstances, the best course is to deny both motions without prejudice to the refiling of a single motion seeking relief.

1 Accordingly, the motions for leave to amend are both DENIED without prejudice.

2 IT IS SO ORDERED.

3 Dated: May 18, 2020



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5 Nancy J. Koppe
6 United States Magistrate Judge
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